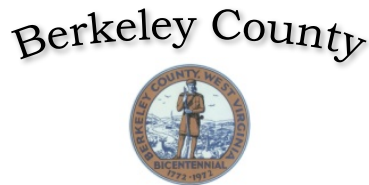


Catie Wilkes Delligatti  
*Prosecuting Attorney*



380 West South Street, Suite 1100  
Martinsburg, WV 25401

Phone (304) 264-1971  
Fax (304) 263-6092

## Office of the Prosecuting Attorney

December 3, 2018

Jake Zuckerman  
Political Reporter  
Charleston Gazette-Mail  
1001 Virginia St., East  
Charleston, WV 25301

VIA EMAIL: [jake.zuckerman@wvgazettemail.com](mailto:jake.zuckerman@wvgazettemail.com)

Re: FOIA Request

Dear Mr. Zuckerman:


I received your FOIA request dated November 30, 2018 requesting the following:

- 1) Dashcam footage from Nov. 19 that captures any interaction between West Virginia State Police troopers Derek Walker and Michael Kennedy and a 16-year-old white male. The interaction involves what Gov. Jim Justice described as a beating in a Nov. 29 news release.**

The dash camera video that exists pertaining to the November 19, 2018 incident is from Berkeley County Sheriff's Office cruisers. It is exempt from FOIA disclosure pursuant to W.Va. Code § 29B-1-4(4)(A) as it pertains to an ongoing investigation. However, I will ensure it is released upon the completion of the investigations into the incident.

Thank you.

Very truly yours,



Catie Wilkes Delligatti